

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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PATRICK DONOHUE, individually and on behalf of
S.J.D.; ANGELA NOLAN, individually and on behalf of S.N.;
MARIE FARRELL, individually and on behalf of E.F.;
and all others similarly situated,

Plaintiffs,

vs.

21-CV-08463 (JPO)

KATHLEEN HOCHUL, in her official capacity as Governor of
New York; BILL DE BLASIO, in his official capacity as Mayor of
New York City; HOWARD ZUCKER, in his official capacity as
Commissioner of the New York State Department of Health;
BETTY ROSA, in her official capacity as Commissioner of the New
York State Department of Education; LESTER YOUNG, JR., in his
official capacity as Chancellor of the New York State Board of
Regents; MEISHA PORTER, in her official capacity as the
Chancellor of the New York City Department of Education; DAVE
CHOKSHI, in his official capacity as the Commissioner of New
York City Department of Health; NEW YORK STATE
DEPARTMENT OF HEALTH; NEW YORK STATE
DEPARTMENT OF EDUCATION; NEW YORK BOARD OF
REGENTS; NEW YORK CITY DEPARTMENT OF
EDUCATION; NEW YORK CITY DEPARTMENT OF HEALTH,

Defendants.

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DECLARATION OF JACLYN D. SAFFIR

Jaclyn D. Saffir, an attorney duly admitted to practice before this Court, declares under
penalty of perjury that the following is true and correct:

1. I am an Assistant Attorney General in the Office of Letitia James, Attorney General of
the State of New York, attorney for Defendants Governor Kathy Hochul; Howard Zucker, M.D.,
J.D., Commissioner of the New York State Department of Health; Betty Rosa, Commissioner of
the New York State Department of Education; Lester Young, Jr., Chancellor of the New York
State Board of Regents; the New York State Board of Regents; the New York State Department

of Health; and the New York State Department of Education. This Declaration is submitted in opposition to Plaintiffs' Motion for a Preliminary Injunction.

2. Attached hereto as Exhibit A is a true and correct copy of New York State Supreme Court Justice Diccia T. Pineda-Kirwan's decision denying plaintiff's application for a preliminary injunction enjoining New York school mask requirements in *M.F. v. Cuomo, et al.*, No. 607277/2021 (Sup. Ct. Nassau Cnty. June 28, 2021).

Dated: New York, New York
November 10, 2021

/S/ _____
Jaclyn D. Saffir
Assistant Attorney General